

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF HAWAII

BENJAMIN M. NARVAES and	)	CIVIL 07-00621 HG-LEK
ELENA V. NARVAES,	)	
	)	
Plaintiffs,	)	
	)	
vs.	)	
	)	
EMC MORTGAGE CORPORATION	)	
and FREMONT INVESTMENT	)	
AND LOAN,	)	
	)	
Defendants,	)	
	)	
and	)	
	)	
FREMONT INVESTMENT AND	)	
LOAN,	)	
	)	
Third-Party	)	
Plaintiff,	)	
	)	
vs.	)	
	)	
808 HOME MORTGAGE INC.,	)	
FIDELITY NATIONAL TITLE	)	
INSURANCE,	)	
	)	
Third-Party	)	
Defendants.	)	
	)	
	)	

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ORDER ADOPTING MAGISTRATE'S  
FINDINGS AND RECOMMENDATION (DOC. NO. 87) TO DENY  
DEFENDANTS' MOTIONS FOR SANCTIONS (DOC. NOS. 61 and 62)

Findings and Recommendation having been filed on May 5, 2009, and served on May 5, 2009 upon those parties of record who, as Registered Participants of CM/ECF, received the document electronically, and served on May 6, 2009 by First Class Mail addressed to John Harris Paer, Esq., and no objections having been filed by any party,

IT IS HEREBY ORDERED AND ADJUDGED that, pursuant to Title 28, United States Code, Section 636(b)(1)(C) and Local Rule 74.2, the "Findings and Recommendation to Deny Defendants' Motions for Sanctions" (Doc. No. 87) is adopted as the opinion and order of this Court with the following modification:

Page 21, line 5 the cite for Bainer v. Citicorp Mortgage, Inc., should read as follows:  
672 A.2d 500 (Conn. 1996), . . ."

IT IS SO ORDERED.

DATED: May 28, 2009, Honolulu, Hawaii.



/S/ Helen Gillmor

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Helen Gillmor  
Chief United States District Judge